

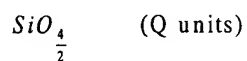
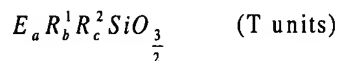
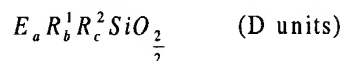
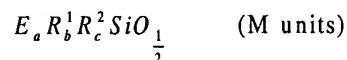
### Remarks

Reconsideration of the above-identified application in view of the present amendments is respectfully requested.

The present Amendment cancels claims 24 and 25 and adds new claims 26-33, thus, claims 1-23 and 26-33 are pending. No new matter has been added by the present Amendment.

Claims 1-19 and 21 were rejected under 35 U.S.C. § 102(b) as being anticipated by Yamaya et al., hereinafter *Yamaya*. Claims 22-23 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over *Yamaya*. Applicant respectfully traverses these rejections.

Claim 1 recites a high weather and chemical resistant, addition-crosslinkable, epoxy-functional organopolysiloxane resin which contains at least one or more of the repeating units having the formulae:



wherein E is an epoxy-functional  $C_{1-18}$  hydrocarbon group containing one or more oxygen atoms, provided that no oxygen atom is directly bonded to a Si- atom; and  
 $R^1$  and  $R^2$  are independently a  $C_{1-20}$  hydrocarbon, optionally interspersed with a heteroatom linking group;  
a is an integer of 0, 1, or 2;  
b is an integer of 0, 1, 2 or 3;  
c is an integer of 0, 1, 2 or 3; and  
in M units,  $a+b+c=3$ ,  
in D units,  $a+b+c=2$ ,  
in T units,  $a+b+c=1$ ,  
wherein the M units are present in less than about 40 mole percent;  
the D units are present in an amount of up to about 40 mole percent; and  
the molecule, on average, contains at least two E components.

*Yamaya* does not teach, disclose or suggest the limitations recited in claim 1. *Yamaya* is directed to a solid organopolysiloxane for powder materials. (See column 3, lines 5-11.) The resin of the present invention is a liquid, as set forth in the specification and as is further set forth in claim 21. Furthermore, *Yamaya* is directed to a process for preparing an organic functional group-containing polysilsesquioxane of high quality wherein the functional group is present in the sesquioxane stably without involving any significant change in quality in relation to the time and wherein little problem is involved in operation and safety. (See column 2, lines 40-45 and lines 60-65.) Silsesquioxanes are highly cross-linked resins which do not have any D units. Thus, *Yamaya* does not disclose, teach or suggest the resin of claim 1 that requires D units to be present. Accordingly, Applicant respectfully requests a withdrawal of the 35 U.S.C. § 102(b) rejection of claim 1 over *Yamaya*.

Claims 2-23 all depend either directly or indirectly from claim 1 and are therefore allowable over *Yamaya* for at least the same reasons as independent claim 1. Moreover, these claims add further limitations that render them separately allowable.

For instance, claims 15 and 16 set limitations about the characteristic of the silane used to form the organopolysiloxane of claim 1. These characteristics are not disclosed, taught or suggested in *Yamaya*.

Claim 22 recites that the resin has a molecular weight of about 1,200. As set forth above, *Yamaya* discloses high molecular weight solid resin. Such a liquid resin having a molecular weight set forth in claim 22 would not be disclosed, taught or suggested by *Yamaya*.

Claim 23 recites that the molecule contains at least three E components. This limitation is not disclosed, taught or suggested in *Yamaya*.

New independent claims 26 and 30 have been added by the present Amendment. These claims are directed to the limitation set forth in claim 20 which was indicated as being allowable. It should be noted that the limitations from the intervening claims from which claim 20 depends have not been added to the new independent claim since the Applicant does not believe that they are necessary for patentability. Accordingly, since the limitations set forth in independent claims 26 and 30 are not disclosed, taught or suggested by the prior art, it is respectfully submitted that claims 26 and 30 are allowable.

Claims 27-29 depend either directly or indirectly from claim 26 and are therefore allowable for at least the same reasons as independent claim 26. Moreover, these claims also add further limitations that render them separately allowable.

Claims 31-33 depend either directly or indirectly from claim 30 and are thus allowable over the prior art for at least the same reasons as independent claim 30. Moreover, these claims also add further limitations that render them separately allowable.

Accordingly, Applicant submits that the application is now in a condition for allowance. Applicant requests a notice to that effect.

A check in the amount of \$108.00 is enclosed to cover additional claims filing fee of \$108.00. Please charge any additional fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978 -- a duplicate of the Amendment Transmittal is enclosed for that purpose.

Respectfully submitted,

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